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REVIEW OF THE ROLE OF THE TRUSTEESHIP COUNCIL

Report of the Sixth Committee

Rapporteur: Mr. Walid OBEIDAT (Jordan)

I. INTRODUCTION

1. The item entitled "Review of the role of the Trusteeship Council" was included in the agenda of the fiftieth session of the General Assembly at the request of Malta.

2. At its 3rd plenary meeting, on 22 September 1995, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee. The Assembly further decided that the introduction and initial discussion of the item would be held directly in plenary meeting and its subsequent consideration would be held in the Sixth Committee.

3. In connection with the item, the Sixth Committee had before it a letter dated 2 June 1995 from the Permanent Representative of Malta to the United Nations addressed to the Secretary-General (A/50/142), to which an explanatory memorandum was annexed in accordance with rule 20 of the rules of procedure of the General Assembly.

4. The item was introduced and initially discussed at the 68th plenary meeting of the General Assembly, on 21 November 1995 (see A/50/PV.68). The Sixth Committee considered the item at its 44th, 45th and 46th meetings, on 22, 24 and 29 November 1995. The summary records of those meetings contain the views of the representatives who spoke during the Committee's consideration of the item (A/C.6/50/SR.44-46).

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II. CONSIDERATION OF PROPOSALS

5. The Sixth Committee initially had before it a draft resolution entitled "Review of the role of the Trusteeship Council" (A/C.6/50/L.6), submitted by the representative of Malta, which read:

"Review of the role of the Trusteeship Council

"The General Assembly,

"Recognizing the need to continue the process of revitalization and restructuring of the principal organs of the United Nations,

"Recalling the recommendation of the President of the General Assembly at its forty-fifth session that the role of the Trusteeship Council should be further enhanced through the additional role of holding in trust for humanity its common heritage and common concerns in the interest of future generations, 1/

"Taking note of Trusteeship Council resolution 2200 (LXI) of 25 May 1994, establishing that the Council shall meet as and where occasion may require, by decision of the Trusteeship Council, or by decision of its President, or at the request of a majority of its members, or at the request of the General Assembly, or at the request of the Security Council acting in pursuance of the relevant provisions of the Charter of the United Nations,

"Also taking note of the recommendations made and views expressed by the Secretary-General, 2/ and by Member States, on the future of the Trusteeship Council,

"Noting the report of the Commission on Global Governance, 'Our Global Neighbourhood', in which it was recommended that the Trusteeship Council be given a new mandate over the global commons in the context of concern for the security of the planet, 3/

"Recognizing the importance of the work being undertaken by those international authorities, agencies and United Nations bodies mandated to protect different aspects and areas of the common heritage of mankind in the interest of present and future generations,

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1/ See A/45/PV.82; see also A/50/142.

2/ See Official Records of the General Assembly, Forty-ninth Session, Supplement No. 1 (A/49/1); ibid., Fiftieth Session, Supplement No. 33 (A/50/33).

3/ A/50/79-S/1995/106.

"Conscious of the need to avoid institutional fragmentation and duplication of effort through the effective coordination of activities related to the common heritage of mankind,

"Convinced of the need for the General Assembly to include in its deliberations on the strengthening of the United Nations system those proposals that have been made relative to the future of the Trusteeship Council,

"Bearing in mind the need to continue to ensure and enhance the efficiency of the United Nations system,

"1. Requests the Secretary-General to invite Member States to submit, not later than 30 June 1996, written comments on the future of the Trusteeship Council, including proposals to enhance the Trusteeship Council through an additional role as trustee of the common heritage of mankind;

"2. Requests the Secretary-General to submit to the General Assembly at its fifty-first session, for its consideration, a report containing comments made by Member States on the subject;

"3. Reaffirms the importance of the General Assembly's open-ended high-level Working Group on the Strengthening of the United Nations System in undertaking a thorough review of studies and reports of independent commissions, non-governmental organizations, institutions, scholars and other experts on subjects relating to the revitalization, strengthening and reform of the United Nations system and recommends specific attention to studies and reports relative to the future of the Trusteeship Council;

"4. Decides to include in the provisional agenda of its fifty-first session the item entitled 'Review of the role of the Trusteeship Council'."

6. At the 46th meeting, on 29 November, the representative of Malta introduced a revised draft resolution entitled "Review of the role of the Trusteeship Council" (A/C.6/50/L.6/Rev.1).

7. At the same meeting, the Committee adopted the revised draft resolution by consensus (see para. 8).

III. RECOMMENDATION OF THE SIXTH COMMITTEE

8. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Review of the role of the Trusteeship Council

The General Assembly,

Noting the proposal made by Malta on the review of the role of the Trusteeship Council, 4/ other proposals made and different views expressed by Member States at the fiftieth session of the General Assembly on decisions relative to the future of the Trusteeship Council and the report of the Secretary-General, 5/

Noting also that the General Assembly's Open-ended High-level Working Group on the Strengthening of the United Nations System will be undertaking a thorough review of studies and reports of the relevant United Nations bodies and submissions of Member States and observers, as well as studies and reports of independent commissions, non-governmental organizations, institutions, scholars and other experts on subjects relating to the revitalization, strengthening and reform of the United Nations system,

Noting further the role of the Special Committee of the Charter of the United Nations and on the Strengthening of the Role of the Organization,

1. Requests the Secretary-General to invite Member States to submit, not later than 31 May 1996, written comments on the future of the Trusteeship Council;

2. Also requests the Secretary-General to submit to the General Assembly, as early as possible and before the end of its fiftieth session, for appropriate consideration, a report containing comments made by Member States on the subject.

4/ A/50/142.

5/ See Official Records of the General Assembly, Fiftieth Session, Supplement No. 1 (A/50/1).